

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>JOHN ROBERT DAY,</b>	)	<b>CASE NO. 1:16CV2813</b>
	)	
<b>Plaintiff,</b>	)	<b>JUDGE CHRISTOPHER A. BOYKO</b>
	)	
<b>vs.</b>	)	
	)	
<b>COMMISSIONER OF</b>	)	<b><u>ORDER</u></b>
<b>SOCIAL SECURITY,</b>	)	
	)	
<b>Defendant.</b>	)	

**CHRISTOPHER A. BOYKO, J.:**

This matter is before the Court on Magistrate Judge Thomas M. Parker's Report and Recommendation (Doc. 25) to grant Plaintiff's Motion for Payment of Attorney Fees (Doc. 22). Objections to the Report and Recommendation were due August 13, 2019. Neither Plaintiff nor Defendant has filed an objection to the Report and Recommendation.

Federal Rule of Civil Procedure 72(b) provides that objections to a report and recommendation must be filed within fourteen days after service. FED. R. CIV. P. 72(b)(2). Both parties have failed to timely file any such objections. Therefore, the Court must assume that they are satisfied with the Magistrate Judge's recommendation. Any further review by this Court would be duplicative and an inefficient use of the Court's limited resources. *Thomas v. Arn*, 474 U.S. 140, 155 (1985); *Howard v. Sec'y of Health & Human Servs.*, 932 F.2d 505, 506 (6th Cir. 1991); *United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981).

Therefore, the Court **ADOPTS** the Report and Recommendation of the Magistrate Judge, **GRANTS** Plaintiff's Motion (Doc. 22) and awards \$19,615.75 to Plaintiff's counsel pursuant to 42 U.S.C. § 406(b). Furthermore, the Court **ORDERS** Plaintiff's counsel to refund \$5,628.78 (the amount awarded in EAJA fees (Doc. 21)) to Plaintiff.

**IT IS SO ORDERED.**

s/Christopher A. Boyko  
**CHRISTOPHER A. BOYKO**  
**United States District Judge**

**Dated: September 9, 2019**